

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, July 20, 2006, 6:30 P.M.**
 Office of Zoning Hearing Room
 441 4th Street, N.W., Suite 220-South
 Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 05-30 (6000 New Hampshire Avenue, N.E. – West*Group Development Company LLC and The Jarvis Company)

THIS CASE IS OF INTEREST TO ANC 4B

On September 12, 2005, the Office of Zoning received an application from West*Group Development Company LLC and The Jarvis Company. The Applicants are requesting approval of a planned unit development (PUD) and a related zoning map amendment from R-1-B to R-5-A. The Office of Planning provided its report on October 28, 2005, and the case was set down for hearing on November 14, 2005. The Applicant provided its prehearing statement as part of its application on March 30, 2006.

The property that is the subject of this application consists of approximately 505,062 square feet of land area and is located in the block bounded by New Hampshire Avenue, Sligo Mill Road, Chillum Place and Peabody and Rittenhouse Streets, N.E., Parcel 126/74 and Square 3719, lot 856. The PUD also includes property located on the south side of Peabody Street between 1st Street and New Hampshire Avenue (Square 3714, lots 69, 70, 71, 72, 73, 801, 824 and 826) and the small triangular park area at the corner of Chillum Place and Peabody Street (Parcel 126/24). The subject properties are currently zoned R-1-B.

The Applicant proposes to construct a residential development containing approximately 188 units. The two existing buildings on the site will be converted to a total of 61 condominium apartment units. There will be 27 detached single-family dwellings and 100 townhomes constructed on the remainder of the property. The existing buildings are approximately 57 and 37 feet high. The new detached single family dwellings and townhomes will each have a height of approximately 30 feet. The total gross floor area of the project is approximately 393,448 square feet; the proposed overall floor area ratio (FAR) of the project is 0.78. The project will contain 297 parking spaces dedicated to the residential units and an additional 83 spaces on the private streets within the project, for a total of 380 parking spaces. The project will contain almost 183,000 square feet of green space, of which more than 56,000 have been collected into a variety of parks and garden spaces.

The R-1-B District permits detached single family dwellings with a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet, a maximum height of 3 stories and 40 feet, and a maximum lot occupancy of 40 percent. Each dwelling requires 8 foot side yards, a 25 foot rear yard, and a minimum of 1 parking space.

The R-5-A District permits mixed residential development, including single family dwellings, two-family dwellings and apartments. The maximum permitted height is 40 feet, the maximum permitted FAR is 0.9, and the maximum lot occupancy is 40 percent. A side yard of at least 8 feet is required. The minimum required rear yard is 20 feet and a minimum of 1 parking space per unit is required. Under Chapter 24, the guideline for permitted height in a PUD is 60 feet and the guideline for permitted FAR in a PUD is 1.0.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a written statement containing the following information:**

- (a) The person's name, address, and daytime telephone number;
- (b) A request to appear and participate as a party;
- (c) Whether the person will appear as a proponent or opponent of the application;
- (d) Whether the person will appear through legal counsel, and if so, the name and address of legal counsel;
- (e) A list of witnesses who will testify on the person's behalf;

- (f) A summary of the testimony of each witness;
- (g) An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts;
- (h) The total amount of time being requested to present their case; and
- (i) A written statement setting forth why the person should be granted party status, including reference to the following:
 - (1) The property owned or occupied by the person, or in which the person has an interest, that will be affected by the action requested of the Commission;
 - (2) The legal interest the person has in said property, such as owner, tenant, trustee, or mortgagee;
 - (3) The distance between the person's property and the property that is the subject of the application before the Commission;
 - (4) The economic, social, or other impacts likely to affect the person and/or the person's property if the action requested of the Commission is approved or denied; and
 - (5) An explanation of how the person's interest as identified in response to paragraph (4) would likely be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than those of other persons in the general public.

The applicant shall also provide the information indicated in (e) through (h) to the extent that the information is not contained in the Applicant's prehearing submission as required by 11 DCMR § 3013.1. The information shall be filed no later than fourteen (14) days before the date of the hearing.

If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in (e) through (h) above.

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Time limits.

The following time limits for oral testimony shall be adhered to unless changed by the Commission, and no time may be ceded:

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| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 15 minutes each (60 minutes collectively) |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 210, 441 4th Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

CAROL J. MITTEN, ANTHONY J. HOOD, GREGORY JEFFRIES, JOHN G. PARSONS AND MICHAEL TURNBULL, ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY JERRILY R. KRESS, FAIA, DIRECTOR, AND BY SHARON S. SCHELLIN, ACTING SECRETARY TO THE ZONING COMMISSION.